

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE PATENT EXAMINING OPERATION

Application No.: 10/665,337

Group Art Unit:

Filing Date: 09/18/2003

Attorney Docket No.: KN P 0125

First Named Inventor: Nash, John E.

Examiner:

Title: SYSTEM AND METHOD OF USE FOR AGENT DELIVERY AND

REVASCULARIZING OF GRAFTS AND VESSELS

INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO Form 1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. representation is made that the references are prior art with respect to this application.

This Information Disclosure Statement is being filed within three months of the filing date of a national application other than a CPA under 37 CFR §1.53(d), within three months of the date of entry of the national stage as set forth in 37 CFR §1.491 in an international application, before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of an RCE under 37 CFR §1.114. No certification fee is required.

Assignee Kensey Nash Corporation previously established the right to take action in the prosecution of this case, as evidenced by the filing of a Statement Under 37 CFR 3.73(b) on February 20, 2004. For the convenience of the Office, a copy of this earlier filed Statement is attached.

Respectfully submitted,

Date:

3/10/04

By:

Jeffrey V. Kelly
Kensy Nash Corporation 55 East Uwchlan Avenue

Exton, PA 19341 (601) 594-4392

Director of Legal Affairs



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Information Disclosure Statement Certificate of Mailing Under 37 CFR 1.8

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| TRANSMITTAL FORM (to be used for all correspondence after initial to | Application Number Filing Date First Named Inventor Art Unit Examiner Name | n of information unless it displays a valid OMB control no 10/665337 09/18/2003 Nash, John E. | | | | | | |
| Total Number of Pages in This Submission | 9 | Attorney Docket Number | KN P 0215 | | | | | |
| Fee Transmittal Form ENCLOSURES (Check all that apply) After Allowance communication to Group | | | | | | | | |
| Fee Attached Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 | | cicensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Addre Ferminal Disclaimer Request for Refund CD, Number of CD(s) | ess Copy of | Appeals beal Cor peal Not prietary tus Lette er Encle ntify bele State | osure(s) (please | | | |
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| Firm or Individual name Signature Date CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | | | | | | |
| Typed or printed name Trina Werke | ema | | | | | | | |
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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| Complete if Known | | | |
|------------------------|---------------|--|--|
| Application Number | 10/665,337 | | |
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| First Named Inventor | Nash, John E. | | |
| Art Unit | | | |
| Examiner Name | | | |
| Attorney Docket Number | KN D 0125 | | |

| | | | U. S. PATEN | T DOCUMENTS | |
|-----------------------|--------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No.1 | Document Number Number-Kind Code ^{2 (# known)} | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | US- 4445509 | 05 04 4004 | A 4 lo | , igaissi ippea. |
| | | | 05-01-1984 | Auth | |
| | | ^{US-} 4700705 | 10-20-1987 | Kensey et al. | |
| | | ^{US-} 4747821 | 05-31-1988 | Kensey et al. | |
| | | ^{US-} 5042984 | 08-27-1991 | Kensey et al. | |
| | | ^{US-} 4589412 | 05-20-1986 | Kensey | |
| | | ^{US-} 4631052 | 12-23-1986 | Kensey | |
| | | ^{US-} 4686982 | 08-18-1987 | Nash | |
| | | ^{US-} 4749376 | 06-07-1988 | Kensey et al. | |
| | | ^{US-} 4790813 | 12-13-1988 | Kensey | |
| | | ^{US-} 5009659 | 04-23-1991 | Hamlin et al. | , |
| | | ^{US-} 5074841 | 12-24-1991 | Ademovic | ' |
| | | ^{US-} 5282484 | 02-01-1994 | Reger | |
| | | ^{US-} 5366463 | 11-22-1994 | Ryan | |
| | | ^{US-} 5368603 | 11-29-1994 | Halliburton | |
| | | us- 5402790 | 04-04-1995 | Jang et al. | |
| | | ^{US-} 5423742 | 06-13-1995 | Theron | |
| | | ^{US-} 5429136 | 07-04-1995 | Milo et al. | |
| | | ^{US-} 5370609 | 12-06-1994 | Drasler et al. | |
| | | ^{US-} 5496267 | 03-05-1996 | Drasler et al. | |

| | | FORE | IGN PATENT DOCL | IMENTS | | |
|-----------------------|--------------------------|--|-----------------------------|--|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document Country Code ³ "Number ⁴ "Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T ⁶ |
| | | EP 0353087 | 01-31-1990 | Shiber, Samual | | |
| | | WO 93/00119 | 01-07-1993 | Lake Region Mfg | | |
| | | WO 95/21576 | 08-17-1995 | Microvena Corp | | |
| | | | | | | <u> </u> |
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| Examiner | | Date | |
| Signature | | Considered | |
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| Application Number | 10/665,337 | | | | |
| Filing Date | 09/18/2003 | | | | |
| First Named Inventor | Nash, John E. | | | | |
| Art Unit | | | | | |
| Examiner Name | | | | | |
| Attorney Docket Number | KN D 0125 | | | | |

| | | | U. S. PATENT | DOCUMENTS | |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number Number-Kind Code ² (# known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | ^{US-} 5224945 | 07-06-1993 | Pannek, Jr. | |
| | | ^{US-} 5030201 | 07-09-1991 | Palestrant | |
| | | ^{US-} 4679558 | 07-14-1987 | Kensey et al. | |
| | | ^{US-} 4696667 | 09-29-1987 | Masch | |
| | | ^{US-} 4762129 | 08-09-1988 | Bonzel | |
| | | ^{US-} 4842579 | 06-27-1989 | Shiber | |
| | | ^{US-} 4857045 | 08-15-1989 | Rydell | |
| | | ^{US-} 4883458 | 11-28-1989 | Shiber | |
| | | ^{US-} 4898575 | 02-06-1990 | Fischell et al. | |
| | | ^{US-} 4957482 | 09-18-1990 | Shiber | |
| | | ^{US-} 5049124 | 09-17-1991 | Bales, Jr. | |
| | i i | ^{US-} 5087265 | 02-11-1992 | Summers | |
| | į | ^{US-} 5097849 | 03-24-1992 | Kensey et al. | |
| | | ^{US-} 5114399 | 05-19-1992 | Kovalcheck | |
| | | ^{US-} 5195956 | 03-23-1993 | Stockmeier | |
| | | ^{US-} 5267955 | 12-07-1993 | Hanson | |
| | | ^{US-} 5273526 | 12-28-1993 | Dance et al. | |
| | | ^{US-} 5284468 | 02-08-1994 | Kotula et al. | |
| | | ^{US-} 5314407 | 05-24-1994 | Auth et al. | |

| | | FOREIG | N PATENT DOCU | MENTS | | |
|-----------------------|--------------|---|---------------------|--|---|----------------|
| Examiner Initials* | Cite No.1 | Foreign Patent Document | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages | |
| | | Country Code ³⁻ Number ⁴⁻ Kind Code ⁵ (if known) | MM-DD-YYYY | | Or Relevant Figures Appear | T ⁶ |
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| | | US- 5358472 | 12-25-1994 | Vance et al. | |
| | | ^{US-} 5395311 | 03-07-1995 | Andrews | |
| | | ^{US-} 5409454 | 04-25-1995 | Fischell et al. | |
| | | ^{US-} 5496267 | 03-05-1996 | Drasler et al. | |
| | | ^{US-} 5632755 | 05-27-1997 | Nordgren et al. | |
| | | ^{US-} 5665098 | 09-09-1997 | Kelly et al. | |
| | | ^{US-} 5681336 | 10-28-1997 | Clement et al. | |
| | | ^{US-} 5882329 | 03-16-1999 | Patterson et al. | |
| | | ^{US-} 5947985 | 09-07-1999 | Imran | |
| | | ^{US-} 5954745 | 09-21-1999 | Gertler et al. | |
| | | ^{US-} 6135991 | 10-24-2000 | Muni et al. | |
| | | US- | | | |

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|-----------------------|--------------|--|-------------------------|-------|--|---|--|
| Examiner Initials* | Cite No.1 | | Foreign Patent Document | | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages | |
| | | Country Code ^{3 -} Number ^{4 -} Kind Code ⁵ (<i>if known</i>) | MM-DD-YYYY | | Or Relevant Figures Appear | T' | |
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PTO/SB/08B (08-03) Approved for use through 07/31/2006. OMB 0651-0031 MAR 1 2 2004 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE e Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known for form 1449/PTO **Application Number** 10/665,337 INFORMATION DISCLOSURE **Filing Date** 09/18/2003 STATEMENT BY APPLICANT **First Named Inventor** Nash, John E. Art Unit (Use as many sheets as necessary) **Examiner Name** Attorney Docket Number Sheet 4 KN P 0125 4 of

| NON PATENT LITERATURE DOCUMENTS | | | | | |
|---------------------------------|--------------------------|---|--|--|--|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | | | |
| ĵ | | Rotoblator; Heart Technology, Inc | | | |
| 2 / | | Extraction Atherectomy, Putting Plaque and Thrombus in their Proper Place; Interventional Technologies, Inc. | | | |
| 3 | | AngioJet Rapid Thrombectomy System; Possis Medical Inc. Innovations for Life; May, 1996. | | | |
| 4 | | Rheolytic Thrombectomy System AngioJet; Possis Medical, Inc. Innovations for Life. | | | |
| 5 | | Amplatz Thrombectomy Device, The Clot-Buster; Microvena Corporation. | | | |
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| Examiner | Date | |
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